

EXHIBIT 9

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

IN RE EASTMAN KODAK ERISA
LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

MASTER FILE NO. 6:12-CV-06051-DGL

JURY TRIAL DEMANDED

DECLARATION OF PLAINTIFF MARK J. NENNI

Mark J. Nenni declares and states as follows:

1. I am one of the named Plaintiffs in this action and a resident of the state of New York. I am a former employee of the Eastman Kodak Company (“Kodak”), where I worked from on or about June 13, 1983 (Kodak adjusted date) until on or about December 4, 2004.

2. I submit this Declaration in support of Plaintiffs’ motion for approval of the proposed settlement and fee and expense application.

3. While I was employed by Kodak, I was a participant in the Eastman Kodak Employees’ Savings and Investment Plan (the “Plan”). I was a Plan participant during the period from January 1, 2010 to March of 2012. During that period, my Plan account contained Kodak’s company stock.

4. I am represented by Guin, Stokes & Evans, LLC, Barrett Wylie, LLC, and Cropsey & Cropsey (hereinafter, “my counsel”). I understand that the Court appointed Izard Nobel LLP and Connolly, Wells & Gray, LLP, as Interim Lead Counsel for all of the ERISA Plaintiffs and that these firms worked with my counsel to prosecute this case (together, “Plaintiffs’ Counsel”). I know due to my contact with several of the attorneys involved that

these firms worked diligently on the matter and believe that they will and have vigorously represented the interests of the Class.

5. After careful consideration, I agreed to serve as one of the named plaintiffs. I understand that among other things, this case was brought as a class action lawsuit against the individuals and entities that were responsible for the Plan to recover losses to the Plan as a result of investment in Kodak stock during the period from January of 2010 through March of 2012.

6. After I agreed to serve as a named plaintiff in this case, I conferred regularly with my counsel, including numerous telephone calls and e-mail correspondence. I have also responded to questions and requests for information from Plaintiffs' counsel.

7. During the period from May to November of 2015, I responded to three different sets of interrogatories and three different sets of requests for admissions. Each time I reviewed the documents carefully both on my own and with Plaintiffs' counsel to ensure my answers were complete and accurate. I also conducted a thorough search of my home for relevant documents, in response to requests for the production of documents, so that I could accurately state what I possessed and could provide any I still had in my possession.

8. I understood at the time that I agreed to participate as a named plaintiff that I might have to appear for a deposition and give testimony in this action. On three separate occasions, I arranged a time with my counsel to have my deposition taken in Rochester, N.Y. Counsel postponed all three of the scheduled depositions. However, I was willing to go through the process and had started preparing for it. I was also ready, willing, and able to give testimony in court if the case had gone to trial.

9. During the course of the litigation, I participated in the following activities: (i) reviewing documents such as Plan-related documents and other materials; (ii) reviewing other

court documents and discussing them with my counsel; (iii) engaging in regular communications with counsel concerning the status and strategy of the case; (iv) searching my own files for documents related to the case and sending what I found to my counsel; (v) regular updates with my counsel concerning my responses to discovery requests; (vi) discussing deposition dates with counsel and making arrangements to attend; (vii) discussing the proposed settlement talks with counsel in advance of the mediation; and (viii) approving the proposed settlement. I performed these tasks with care and consideration for my role as a representative of a class of persons injured by the Defendants' conduct.

10. I believe that the proposed settlement is in the best interests of the Class and I would ask the Court to approve it. I also support the application for attorneys' fees and expenses.

11. I respectfully request that the Court award me, and the other proposed Class Representatives, a case contribution award of \$5000 each as compensation for the time and effort that we have spent on the case on behalf of the whole class.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of May, 2016.



Mark J. Nenni